

U.S.D.J., Martin Luther King, Jr. Federal Building & U.S. Courthouse, 50 Walnut Street, Newark, New Jersey 07102, and shall move this Court *in limine* for entry of an Order precluding Plaintiffs Roche Palo Alto LLC, Gilead Palo Alto Inc., and Gilead Sciences Inc. (collectively “Plaintiffs”) from presenting and/or relying on any testimony from R. Polk Wagner.

PLEASE TAKE FURTHER NOTICE that in support of this Motion, Lupin shall rely upon the accompanying Brief, the Declaration of Jeffrey Marx (with exhibits annexed thereto), all papers submitted herewith, and oral argument, which is specifically requested.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is also submitted herewith for the Court’s consideration.

Respectfully submitted,

Dated: March 4, 2013

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Inc. and Lupin Ltd.

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